

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

J. LEE,

Plaintiff,

No. 1:17-CV-01230 JB/LF

v.

**THE BOARD OF REGENTS OF THE
UNIVERISTY OF NEW MEXICO, and
GARNETT S. STOKES, in her official capacity
as the President of the University of New Mexico,**

Defendants.

THIRD AMENDED SCHEDULING ORDER

THIS MATTER having come before the Court on the Joint Motion to Reopen Limited Discovery and Enter Third Amended Scheduling Order [Doc. 84], and the Court being fully advised in the premises, FINDS that the Joint Motion is well taken and shall be granted.

IT IS THEREFORE ORDERED that discovery is reopened for the limited purpose of allowing the parties to conduct discovery specific to Plaintiff's claim for damages in violation of Title IX of the Education Amendments Act of 1972 ("Title IX") and/or Defendants' defenses thereto with the following limitations:

Maximum of twenty (20) interrogatories by each party to the other party. (Responses due thirty (30) days after service).

Maximum of twenty (20) requests for production by each party to the other party. (Responses due thirty (30) days after service).

Maximum of twenty (20) requests for admission by each party to the other party. (Responses due thirty (30) days after service).

Maximum of four (4) depositions by Plaintiff and four (4) depositions by Defendants.

Each deposition (other than of Plaintiff and Rule 30(b)(6) deposition) limited to maximum of four (4) hours, unless extended by agreement of parties.

IT IS FURTHER ORDERED that the Scheduling Order [Doc. 51], Order Adopting Joint Status Report and Provisional Discovery Plan [Doc 52], Amended Scheduling Order [Doc. 64], Second Amended Scheduling Order [Doc. 74], and Order Granting Unopposed Motion to Extend Pretrial Order Deadline [Doc. 78] are amended as follows:

The termination date for reopened limited discovery is **July 17, 2020**, and discovery shall not be reopened, nor shall case management deadlines be modified, except by an order of the Court upon a showing of good cause;

Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing parties by **August 17, 2020**;

Plaintiff shall identify to all parties in writing any expert witness to be used by Plaintiff at trial and provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than **May 29, 2020**. Defendants shall identify in writing any expert witness to be used by Defendants at trial and provide expert reports pursuant to Fed. R. Civ. P. 26(a)(2)(B) no later than **June 29, 2020**;

Pretrial motions related to the Title IX claim, other than discovery motions, shall be filed with the Court and served on opposing party by **August 28, 2020**;

Counsel are directed to file a consolidated final Pretrial Order as follows: Plaintiff to Defendants on or before **November 5, 2020**; Defendants to the Court on or before **November 16, 2020**;

A Motion Hearing is set in this matter on September 28, 2020 at 1:30 p.m.

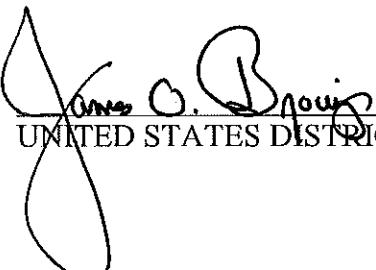
This matter is set for Pretrial Conference on November 17, 2020 at 1:30 pm

This matter is set for a Jury Trial on Plaintiff's claim against Defendant UNM for damages for alleged violation of Title IX on a trailing docket on December 14, 2020 at 8:30 a.m.

This matter is set for a Bench Trial on Plaintiff's claim for injunctive and declaratory relief against Defendants for alleged violation of his federal constitutional right to due process on December 22, 2020 at 8:30 a.m.

All other deadlines and requirements that are not inconsistent with this Third Amended Scheduling Order and are set forth in the Scheduling Order [Doc. 51], Order Adopting Joint Status Report and Provisional Discovery Plan [Doc. 52], Amended Scheduling Order [Doc. 64], Second Amended Scheduling Order [Doc. 74], and Order Granting Unopposed Motion to Extend Pretrial Order Deadline [Doc. 78] remain in effect.

IT IS SO ORDERED.



JAMES O. B. Povich
UNITED STATES DISTRICT JUDGE

Jointly Submitted:

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Approved via email – April 20, 2020

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